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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,045

11/04/2003

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EXAMINER

ROBINSON, KITO R

ART UNIT

PAPER NUMBER

4143

MAIL DATE

DELIVERY MODE

12/20/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/700,045	<b>Applicant(s)</b> BRADLEY ET AL.	
	<b>Examiner</b> KITO R. ROBINSON	<b>Art Unit</b> 4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/04/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>5/28/2004</u> .                                               | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the application filed on 4 Nov. 2003.
2. Claims 1-31 are currently pending and have been examined.

### **Drawings**

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Fig 7 & 11 do not contain reference numbers. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

**Request for Information Under 37 CFR § 1.105**

**4.** 37 CFR 1.105. Requirements for information.

(a)

(1) In the course of examining or treating a matter in a pending or abandoned application filed under 35 U.S.C. 111 or 371 (including a reissue application), in a patent, or in a reexamination proceeding, the examiner or other Office employee may require the submission, from individuals identified under § 1.56(c), or any assignee, of such information as may be reasonably necessary to properly examine or treat the matter, for example:

(i) Commercial databases: The existence of any particularly relevant commercial database known to any of the inventors that could be searched for a particular aspect of the invention.

(ii) Search: Whether a search of the prior art was made, and if so, what was searched.

(iii) Related information: A copy of any non-patent literature, published application, or patent (U.S. or foreign), by any of the inventors, that relates to the claimed invention.

(iv) Information used to draft application: A copy of any non-patent literature, published application, or patent (U.S. or foreign) that was used to draft the application.

(v) Information used in invention process: A copy of any non-patent literature, published application, or patent (U.S. or foreign) that was used in the invention process, such as by designing around or providing a solution to accomplish an invention result.

(vi) Improvements: Where the claimed invention is an improvement, identification of what is being improved.

(vii) In Use: Identification of any use of the claimed invention known to any of the inventors at the time the application was filed notwithstanding the date of the use.

(viii) Technical information known to applicant. Technical information known to applicant concerning the related art, the disclosure, the claimed subject matter, other factual information pertinent to patentability or concerning the accuracy of the examiner's stated interpretation of such items.

**5.** This is a request that applicants provide the information identified above especially where emphasis added. If applicants have this information, then applicants are required, under the provisions of 37 CFR 1.56, to disclose the information to the Office.

**6.** Applicant is not required or being asked to conduct a search for information beyond applicants own immediate files. If Applicant does not have immediate knowledge of the information requested, then a statement that the information sought is unknown or not readily available to the Applicant will be accepted by the office as a complete reply.

**7.** Why the Request for Information is Reasonably Necessary: Applicant/Assignee Freddie Mac has been in the mortgage lending business for many years. Although an IDS has been submitted, Applicant likely may possess additional knowledge reasonably pertinent to the examination of this

application. If so, please send only relevant and pertinent information to the Examiner. **Specifically, Examiner found evidence that Applicant/Assignee has been using the Loan Prospector software since 1995 see *Comment: Freddie Makes Risk Management a Top Priority*, by Leland C. Brendsel. Please send the Examiner information relating to the likelihood a loan will close based on a score as at least used in the above said software.**

8. Information Requested of Applicants: If Applicant possesses any of the information above, Applicant is required to send: publications of pertinent information as well as the dates of the aforementioned information.

#### **Claim Rejections - 35 USC § 102**

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. Claims 1, 2, 16-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Tengel et al. 5,940,812, hereafter [Tengel '812].

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**As per claim 1 & 28,**

Tengel '812 discloses:

- *receiving application information, such that the application information includes at least borrower information, property information, and a first interest rate* (See at least Fig.1, Fig 3B item 326, & Fig. 4 item 404: Take note borrower information=borrowers attributes see column 4 line 21-26);
- *receiving home value information, such that the home value information represents an estimated value of the property* (See at least Fig.1 & 4: Take note home value information=pricing, which is characteristic of loan attributes see column 4 line 34-35 );
- *receiving a second interest rate property* (See at least Fig.1 & Column 4 line 38-40: Take note a polarity of lenders participating in a loan market will provide a second interest rate);
- *determining the indication based on the received application information, received home value information, and received second interest rate, such that the indication represents a likelihood that the mortgage loan may result in the closing* (See at least Fig. 9 step 908 & Column 11 line 1-5: Take note lenders view similar loan attributes of other competitive loan offers).

**As per claim 2,**

Tengel '812 discloses:

- *receiving a date corresponding to when the mortgage loan application may be closed with the first interest rate* (See at least Column 11 line 23-28: Take note a first and second date).

**As per claim 16**

Tengel '812 discloses

- *scaling the score into a range of score values, such that a low score value within the range of score values corresponds to a low likelihood that the loan may result in the closing, and a high score value within the range of score values corresponds to a high likelihood that the loan may result in the closing* in Column 9 line 46-49: Take note the best loan has the highest weighted composite score.

**As per claims 17 & 29,**

Tengel '812 discloses:

- *receiving information representative of the mortgage loan application for a property* (See at least Fig. 2B item 220: Take note a loan application is generated).
- *determine the score based on the received information, such that the score represents a likelihood that the mortgage loan application may result in a closing* (See at least Fig. 9 item 908: Take note loans are scored then best loans are ranked and displayed on a screen).

**As per claim 18,**

Tengel '812 discloses:

- *scores for one or more mortgage loan applications* (See at least Fig. 9 item 908 & Column 9 line 44-54: Take note the best loans are ranked for each available loan).

**As per claim 19,**

Tengel '812 discloses:

- *processing the one or more mortgage loan applications, such that at least one of the mortgage loan applications is processed before another mortgage loan application based on the determined score for the at least one mortgage loan application* (See at

least Fig. 8 & Column 10 line14-19: Take note lender views application in line display with “best match” first).

**As per claim 20,**

Tengel '812 discloses:

- *prioritizing the one or more mortgage based on the determined scores*(See at least Fig. 8 & Column 10 line14-19: Take note lender views application in line display with “best match” first, thus a lender does not waste effort and time on unprofitable loans).

**As per claims 21 & 30,**

Tengel '812 discloses:

- *receiving a first score for a first property of the one or more properties*(See at least Fig. 8 & Column 10 line14-19: Take note lender views at least 3 applications in line display with “best match” first);
- *receiving a second score for a second property of the one or more properties* (See at least Fig. 8 & Column 10 line14-19: Take note lender views at least 3 application in line display with best match first);
- *performing a first appraisal of the first property before a second appraisal of the second property, when the first score indicates a greater likelihood of closing than the second score* (See at least Fig. 3B item 326 & Column 6 line 27-30: Take note appraisal=current market value in the collateral portion).

**As per claim 22,**

Tengel '812 discloses:

- *prioritizing the first appraisal before the second appraisal based on the first score* (See at least Fig. 8 & Column 10 line17-19: Take note appraisal=current market value and a lender views applications pending in line display and can prioritize from the selection).



**As per claims 23 & 31,**

Tengel '812 discloses:

- *receiving a first score for a first property of the one or more properties* (See at least Fig. 8 & Column 10 line14-19: Take note lender views at least 3 applications in line display with best match first);
- *receiving a second score for a second property of the one or more properties* (See at least Fig. 8 & Column 10 line14-19: Take note lender views at least 3 application in line display with best match first);
- *performing a first title search of the first property before a second title search of the second property, when the first score indicates a greater likelihood of closing than the second score* (See at least Fig. 3B item 326-329 & Column 6 line 25-27: Take note title searching is included in determining collateral because a person of ordinary skill would know title searching is a part of the lien process).

**As per claim 24,**

Tengel '812 discloses:

- *means for receiving application information, such that the application information includes at least borrower information, property information, and a first interest rate* (See at least Fig.1, Fig 3B item 326, & Fig. 4 item 404: Take note borrower information=borrowers attributes see column 4 line 21-26);
- *means for receiving home value information, such that the home value information represents an estimated value of the property* (See at least Fig.1 & 4: Take note home value information=pricing, which is characteristic of loan attributes see column 4 line 34-35);
- *means for receiving a second interest rate property* (See at least Fig.1 & Column 4 line 38-40: Take note a polarity of lenders participating in a loan market will provide a second interest rate);

- *means for determining the indication based on the received application information, received home value information, and received second interest rate, such that the indication represents a likelihood that the mortgage loan may result in the closing (See at least Fig. 9 step 908 & Column 11 line 1-5: Take note lenders view similar loan attributes of other competitive loan offers).*

**As per claim 25,**

Tengel '812 discloses:

- *means for receiving information representative of the mortgage loan application for a property (See at least Fig. 1, Fig. 2B item 220 & Column 5 lines 3-11: Take note loan is generated then sent via global telecommunication network);*
- *means for determining the score based on the received information, such that the score represents a likelihood that the mortgage loan application may result in a closing (See at least Fig. 1, Fig. 9 item 908 & Column 3 and lines 36-39: Take note the borrower performance characteristics are calculated and provided to the lender).*

**As per claim 26,**

Tengel '812 discloses:

- *means for receiving a first score for a first property of the one or more properties (See at least Fig.1, Fig. 8 & Column 10 line14-19: Take note lender views at least 3 applications in line display with best match first);*
- *means for receiving a second score for a second property of the one or more properties (See at least Fig. 1, Fig. 8 & Column 10 line14-19: Take note lender views at least 3 applications in line display with best match first);*
- *means for performing a first appraisal of the first property before a second appraisal of the second property, when the first score indicates a greater likelihood of closing than the*

*second score* (See at least Fig. 1, Fig. 3B item 326 & Column 6 line 27-30: Take note appraisal=current market value in the collateral portion).

**As per claim 27,**

Tengel '812 discloses:

- *means for receiving a first score for a first property of the one or more properties* (See at least Fig. 1, Fig. 8 & Column 10 line 14-19: Take note lender views at least 3 applications in line display with best match first);
- *means for receiving a second score for a second property of the one or more properties* (See at least Fig. 1, Fig. 8 & Column 10 line 14-19: Take note lender views at least 3 application in line display with best match first);
- *processing means for performing a first title search of the first property before a second title search of the second property, when the first score indicates a greater likelihood of closing than the second score* (See at least Fig. 3B item 326-329, Fig 9 item 910 & Column 6 line 25-27: Take note title searching is included in determining collateral because a person of ordinary skill would know title searching is a part of the lien process).

**Claim Rejections – 35 USC § 103**

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 4143

12. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
13. Claims 3 & 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel '812 as applied to the claims above, and further in view of Nolan, III et al. US 2004/0225594 A1, hereafter [Nolan '594].

**As per claim 3,**

Tengel discloses *receiving a date corresponding to when the mortgage loan application may be closed with the first interest rate* but does not disclose *using an expiration date for the first interest rate as the date* the following limitation, however, Nolan '594 does (See at least para. 0049: Take note locked expiration date).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine *receiving a date corresponding to when the mortgage loan application may be closed with the first interest rate* of Tengel '812 with *expiration date* of Nolan '594 because any one or combination of dates could be used on a basis upon which to price loans as taught in Nolan '594 para. 0049.

**As per claim 4,**

Moreover, Nolan '594 discloses:

- *using a closing date as the date* (See at least para. 0049: Take note scheduled closing date).

14. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel/Nolan as applied to the claims above, and further in view of Walker et al. US 6484153 B1, hereafter [Walker '153].

**As per claim 5,**

Tengel/Nolan discloses *using the closing date as the date* but does not disclose *using, as the second interest rate, an interest rate corresponding to a date other than the closing date*, however, Walker '153 does (See at least Column 7 line 34-41: take note to the loan interest rate and expiration date).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the *closing date as the date* of Tengel/Nolan with using, *as the second interest rate, an interest rate corresponding to a date other than the closing date* of Walker '153 because a lender would present the loans having the most favorable loan attributes as specified. Thus, a lender does not waste effort and time in offering loans that are unprofitable & uncompetitive (Tengel '812 column 10 lines 52-54 & Column 11 lines 7-9).

15. Claims 6 & 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel '812 as applied to in claim 1 above, and further in view of Weiss US 2002/0035520 A1, hereafter [Weiss '520].

**As per claim 6,**

- Tengel '812 discloses *receiving home value information* but does not disclose *receiving estimates of value of comparable properties in a region corresponding to the property*. However, Weiss '520 does (See at least para. 0051: Take note comparable property criteria include list price & sale price).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine *receiving home value information* of Tengel '812 with *comparable*

*properties* of Weiss '520 because the *comparable property* criteria aids a client, typically a seller, in determining a list price for a property as taught in Weiss '520 para. 0050.

**As per claim 10,**

The combination Tengel '812 discloses the limitations in claim 1 but not the limitations in claim 6. However, Weiss '520 does:

- *receiving the second interest rate as a current interest rate available for mortgage loans* (See at least para. 0051: Take note the current offers are recorded and someone with ordinary skill in the art would know that the received interest rate would be the current rate).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the *second interest rate* of Tengel '812 with the teachings of *second interest rate as the current rate* of Weiss '520 because the loan is guaranteed current in terms of loan amount and interest rate as taught in Weiss '520 in at least para. 0051.

16. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Tengel/Weiss as applied to claims 1 & 6 above in and in further view of Fraser et al. 5,995,947, hereafter [Fraser '947].

**As per claims 7-9,**

Tengel/Weiss discloses *receiving home value* information but does not disclose *using at least one of a street, a neighborhood, a city, a ZIP code, a zip+4 code, a county, a state, a country, a census tract, or a metropolitan statistical area as the region*. However, Fraser '947 does (See at least Column 3 line 59-67 & Column 4 line 5-15: Take note to property location, census tract & MSA). In addition, *receiving a median value of properties in a ZIP code for the property* and *receiving an estimate of an average value of properties in a region corresponding to the property* are implicitly disclosed in Weiss '520 because the *estimates of value of comparable*

*properties* in claim 6 can be used to produce *median value and average value of properties*, as stated in claims 8 & 9.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine *estimates of value of comparable properties* of Tengel/Weiss with *median value of properties, average value of properties and using at least one of a street, a neighborhood, a city, a ZIP code, a zip+4 code, a county, a state, a country, a census tract, or a metropolitan statistical area as the region* of Fraser '947 because the given information that may be of interest to lenders, are used to price loans, as well as, compute information regarding the pool of loans as taught by Fraser in column 2 lines 40-46.

17. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Tengel '812 as applied to the claims above, and further in view of Fletcher et al. 6,112,190, hereafter [Fletcher '190].

**As per claims 11-14,**

Tengel '812 discloses *determining the indication based on the received application information* but does not disclose *determining the indication based on a model, a statistical technique, or a logistic regression as the statistical technique and determining the indication as a score*, however, Fletcher '190 does (See at least Fig. 44 & column 22 line 52-54: Take note each of these answers could have a weighting value associated with it that would affect the system rating).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine *determining the indication based on the received application information* of Tengel '812 with *determining the indication based on a model, a statistical technique, or a logistic regression as the statistical technique and determining the indication as a score* of Fletcher '190 because tracking subjective points, a credit officer can evaluate the "pessimism" or "optimism" of the applicant as taught by Fletcher in Column 22 lines 63-65.

18. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tengel '812.

**As per claim 15**

Tengel '812 discloses *scaling the score into a range of score values, such that a low score value within the range of score values corresponds to a low likelihood that the loan may result in the closing, and a high score value within the range of score values corresponds to a high likelihood that the loan may result in the closing* in Column 9 line 46-49: Take note the best loan has the highest weighted composite score. However, Tengel '812 does not disclose *scaling the score into a range of score values, such that a low score value within the range of score values corresponds to a high likelihood that the loan may result in the closing, and a high score value within the range of score values corresponds to a low likelihood that the loan may result in the closing*. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made would know this to be an obvious modification because a reversed scale would have similar results.



### Conclusion

19. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.
- Brendsel, Leland C. *Comment: Freddie Makes Risk Management a Top Priority*. American Banker. New York, N.Y.: May 23, 1995. Vol. 160, Iss. 97; pg. 15 discloses "the goal is to eliminate any information and steps that are not necessary to originate or service a quality loan and to make it easy to collect and to process as possible... This service, which is called Loan Prospector, has been commercially available since January, and it is being implemented by large national mortgage firms as well as midsize and smaller lenders" (pg 2).
  - Stanton, Thomas H. *Credit scoring and loan scoring as tools for improved management of federal credit programs*. Financier. Philadelphia: Summer 1999. Vol. 6, Iss. 2/3; pg. 24 discloses "Finally, credit scores and loan scores help lenders to assess risk and decide which loans and loan portfolios to securitize or otherwise sell, and help to price the sales transaction" (pg 1).
  - <http://www.harlandfinancialsolutions.com/ProductsAndServices/MortgageSolutions/PointofSale/Interlinge3OriginationClient> discloses that it "Reduce the Risk of Loan Fall-out: E3's Pricing Engine, integrated with Origination Client, helps reduce the risk of loan fall-out by providing real-time loan program pricing and eligibility."
  - [http://freddiemac.com/news/archives2002/celebrate\\_061002.htm](http://freddiemac.com/news/archives2002/celebrate_061002.htm) discloses that "Loan Prospector contains statistical models that evaluate a borrower's credit, capacity and collateral, and provides quick assessments based on the historical performance of home loans with similar characteristics."
  - O'Brien et al. US 2003/0135451 A1 discloses "lenders are thereby saved from having to carry loans on their books when they become ineligible for a primary loan pool. The methods also allow lenders to allocate a loan to relatively higher valued loan securitization pools based on loan characteristics, and to re-allocate the loan to a relatively lower valued loan securitization pool should the loan fall out of or become disqualified from the relatively higher valued loan securitization pool" (abstract).

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Kito Robinson** whose telephone number is **571.270.3921**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James Reagan** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314.

/Kito R Robinson/Examiner, Art Unit 4143

12 December 2007

/James A. Reagan/Supervisory Patent Examiner, Art Unit 3621